IN THE HIGH COURT OF JUDICATURE AT BOMBAY.
ORDINARY ORIGINAL CIVIL JURISDICTION.

WRIT PETITION NO. 1472 OF 2005.

Municipal Employees Arunachal C.H.S Ltd.... .,Petitioners
V/s
State of Maharashtra & Ors..... . .... Respondents.

Mr.V.P. Patil, adv. For the petitioners.

Ms.Iman K. Calcuttawala AGPb for respondents 1 to 5.

CORAM: F.I. REBELLO, J.

30.8.2005.

PC:

Respondent No.6 has been served. Learned counsel for the petitioners states that he was earlier present. Today respondent No.6 is not present. Considering the order passed further notice to respondent No.6.

Rule.

Heard learned counsel for parties. Rule made returnable forthwith.

2. There is a certificate of recovery issued on 26.6.1997 under section 101 of the Maharashtra Co-operative Societies Act, 1960 in favour of the petitioners. The petitioners thereafter applied for recovery in terms of certificate. Till date it appears that the proceedings have not been completed.

3. Once there is recovery certificate and the petitioners have complied with their requirements the Recovery Officer under the Maharashtra Cooperative Societies Act, is bound to proceed accordingly. In the instant case there is total failure by the Recovery Officer.

4. In the light of that respondent No.5 is directed to complete the proceedings for recovery in terms of certificate issued on 26.6.1997 within a period of three months from today.

5. Rule made absolute accordingly. No order as to costs.